

REMARKS/ARGUMENTS

This Amendment is responsive to the Final Office Action mailed July 15, 2003. Claims 1-34 are pending, and claims 1-34 are rejected.

Claim Rejections

Claims 1, 15-19, and 22 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Morris (US Patent No. 6,353,848) in view of Hayes et al (US Patent No. 6,105,066) in further view of Ault et al (US Patent No. 6,377,994). Claims 2-14, 20, 21, and 24-31 also stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Morris and Hayes et al in view of Ault et al, and further in view of Fichtner et al (US Patent No. 6,360,362). Claim 1 has been amended to positively recite the limitations that an agent transmits fixed-length file segments to one or more selected storage devices, the length of the segment determined by the storage device type.

This claim amendment is supported at least by the specification at page 22, line 10 through page 23, line 2. These features are neither shown nor suggested in the cited references. Therefore, Applicants submit that claim 1, as amended, is allowable.

Dependent claims 2-31 depend ultimately from independent claim 1, and are allowable for at least the same reasons.

Claims 32-34 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Morris and Hayes et al in further view of Fichtner and Ault and in further view of Ohara et al (US Patent No. 6,438,643). Claim 32 has been amended to positively recite method limitations analogous to the amendments to claim 1, which are neither disclosed nor suggested by Morris and Hayes et al, taken separately or in combination with Fichtner or Ohara. Therefore, Applicants submit that claim 32, as amended, is allowable.

Dependent claims 33-34 depend from independent claim 32, and are allowable for at least the same reasons.

In view of all of the above, claims 1-34 are believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 08-2025.

Respectfully submitted,

9/12, 2003



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